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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SUNNYSIDE DEVELOPMENT COMPANY, LLC

Petitioner,

-against-

BANK OF NEW YORK (as escrow agent),  
CAMBRIDGE DISPLAY TECHNOLOGY, INC., and  
OPSYS MANAGEMENT LIMITED,

Respondents.

Case No. 07-CV-8825 (LLS)

**DECLARATION OF  
JOHN E. DAVIS IN OPPOSITION  
TO THE TURNOVER PETITION  
AND IN SUPPORT CDT INC.'S  
MOTION TO DISMISS**

I, JOHN E. DAVIS, pursuant to 28 U.S.C. § 1746, declare that:

1. I am a member in good standing of the Bar of the State of New York, admitted to practice before this Court. I am an associate at the law firm of Pillsbury Winthrop Shaw Pittman LLP, with its office located at 1540 Broadway, New York, NY 10036, attorneys for Respondent Cambridge Display Technology, Inc. ("CDT, Inc.").<sup>1</sup> I am fully familiar with the subject matter of this action and submit this declaration in support of the above-captioned Opposition and Motion:

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<sup>1</sup> Unless otherwise stated, all abbreviations used herein are the same as those stated in respondent CDT Inc.'s Memorandum of Law in Opposition to the Turnover Petition and in Support of Its Motion to Dismiss.

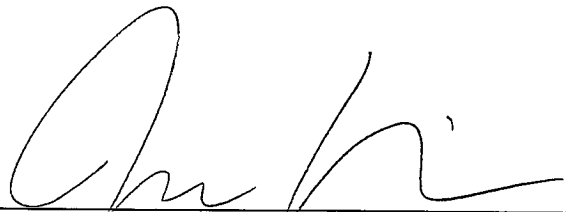
2. A fair and accurate copy of each document listed below is attached hereto as

Exhibit:

1. Declaration of David Fyfe, dated May 16, 2007, submitted in opposition to the motion of Sunnyside Development Corp., LLC to add CDT, Inc. as a party to the proceeding entitled *Sunnyside v. Opsys Ltd.*, No. C-05-00553 (MHP) (N.D. Cal., May 16, 2007) and judgment entered against Opsys Limited in that proceeding.
2. Disbursement Notice from CDT, Inc. to The Bank of New York ("BNY"), dated February 2, 2005.
3. Contest Notice from Opsys Management Limited ("OML") to CDT, Inc., dated February 10, 2005.
4. Disbursement Notices from CDT, Inc. to BNY, dated September 19, 2007.
5. Contest Notice from OML to CDT, Inc., dated September 20, 2007.
6. Disbursement Notice from CDT, Inc. to BNY, dated September 27, 2007.
7. Fax to from A. Zervoglos to Hon. Lewis B. Stone, dated October 12, 2007.
8. Contest Notice from OML to CDT, Inc., dated October 12, 2007.
9. E-mail from H. Charles to Z. Zervoglos, dated October 11, 2007.
10. Turnover Petition, *Sunnyside v. Bank of New York (as escrow agent), Cambridge Display Tech., Inc., and Opsys Mgmt. Ltd.*, No. 113409-07 (N.Y. Sup. Ct. Oct. 5, 2007).
11. Restraining Notice to Garnishee, *Sunnyside v. Bank of New York (as escrow agent), Cambridge Display Tech., Inc., and Opsys Mgmt. Ltd.*, No. 113409-07 (N.Y. Sup. Ct. Oct. 4, 2007).

I, John E. Davis, declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
October 25, 2007

  
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JOHN E. DAVIS